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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,148	04/24/2001	Sung-Tae Kim	1293.1186	3413

21171 7590 03/04/2005

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EXAMINER

NGUYEN, BRIAN D

ART UNIT PAPER NUMBER

2661

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/840,148

Applicant(s) ☒

KIM, SUNG-TAE

Examiner

Brian D Nguyen

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on the amendment filed on 10/28/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-16 and 18-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-3 and 5-12 are objected to because of the following informalities:  
Claim 1, line 13, it is suggested to change "select-ed" to --selected--. In line 22, change "the external output interface unit" to -- the external output interface units--.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-3 and 5-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the desired program data" in line 11. There is insufficient antecedent basis for this limitation in the claim. In lines 11-12, "the desired program data from one of the program data" is unclear because only one program data is mentioned in line 8. In lines 22-23, "the plurality of **received** TSs of data" lacks antecedent basis.

Claim 5 recites the limitation "the desired portion" in line 3. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2661

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 13-16, 18-20, and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Movshovich et al (6,434,170).

Regarding claim 13, Movshovich discloses a method of simultaneously demultiplexing plural transport streams of data having different structures (see col. 2, line 65-col. 3, line 2 and col. 7, lines 27-42 where plural transport streams are disclosed) comprising: selecting a first transport stream data (DVB for example) to be processed among the plural transport streams; selecting a second transport stream data (DSS for example), having a different structure than the first transport stream data (DVB and DSS have different structure, see figures 7a and 17b), among the plural transport streams; extracting first packets of data having designated packet identification among the selected first transport stream data and second packets of data having designated packet identification among the selected second transport stream data; modifying the extracted first and second packets as first and second program data, respectively; descrambling a portion of at least one of the modified first and second program data; and externally interfacing select program data among the first and second modified program data and the descrambled portion of the at least one of the modified first and second program data (see figures 1, 2 & 7; col. 8, line 32-col. 9, line 24; col. 11, lines 22-34).

Regarding claim 14, Movshovich discloses MPEG-2 TS, DSS TS (see figures 7A&B).

Regarding claim 15, Movshovich discloses synchronization (see col. 5, lines 15-18).

Regarding claims 16 and 20, Movshovich discloses an A/V interface (118) for the audio/video data and external interface (108, 116) for supplemental data information (see figure 1; col. 5, lines 10-30).

Regarding claims 18 and 19, Movshovich discloses IEEE 1394 bus (see 232 of figure 2).

Regarding claims 22-26, Movshovich discloses a method of demultiplexing plural transport streams of data having different structures comprising DSS and MPEG-2 transport streams. The DSS and MPEG-2 transport streams are simultaneously processing and these transport streams are received over an IEEE 1394 bus and a PCI bus (see figures 1, 2, & 7; col. 8, line 32-col. 9, line 24; col. 11, lines 22-34).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Movshovich et al (6,434,170).

Regarding claim 21, Movshovich does not specifically disclose scrambles the decrambled program data for external transmission. However, to scramble program data for transmission is well known in the art and is a matter of choice to protect the data. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to scramble the data before transmission in order to protect the data during transmission.

***Allowable Subject Matter***

8. Claim 17 is allowed.
9. Claims 1-3, 5-12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

***Response to Arguments***

10. Applicant's arguments filed 10/28/04 have been fully considered but they are not persuasive.

The applicant argued that *Movshovich does not teach that two transport streams having different structure may be processed simultaneously. Rather, Movshovich discloses that a transport stream of one structure may be processed and then that a transport stream of another structure may be processed.* The examiner disagrees because in col. 2, line 65-col. 3, line 2, Movshovich teaches that a single program transport stream (DVB or DSS transport stream) or a multiplexed of various single program transport streams (DVB and DSS transport streams) can be used. Various single transport streams such as DVB and DSS are shown in figure 7a and 7b and col. 11, lines 22-34). Therefore, Movshovich does teach that two transport streams having different structure may be processed simultaneously.

***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

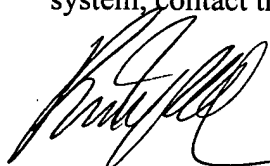
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



2/23/05

**BRIAN NGUYEN  
PRIMARY EXAMINER**